

Virginia's Juvenile Licensing Process

OBTAINING A VIRGINIA LEARNER'S PERMIT AS OF JULY 1, 2007

If the applicant is at least 15 years and six months old and under the age of 18, he/she may obtain a learner's permit at a DMV customer service center after fulfilling the following requirements.

- Complete the Virginia Driver's License Application Form (DL1M). A parent/guardian over the age of 18 must sign the DL1M form to grant DMV permission to issue the student a learner's permit and a driver's license. Minors providing evidence of solemnization of marriage or a certified copy of a court order of emancipation are not required to provide certification of compliance with compulsory school attendance laws, good academic standing, or have any other written parent or guardian authorization to obtain a learner's permit or a driver's license. In the event the student is not married or under legal custody of a parent/guardian, the DL1M form must be signed by a Juvenile and Domestic Relations Court Judge. Host parents are NOT eligible to sign for exchange students.
- Furnish proof of a social security number. DMV will assign a customer number that will be displayed on the learner's permit and driver's license.
- Provide an original identification document certifying name and date of birth. A list of acceptable documents is available at www.dmvnow.com. Applicants under 19 years of age are required to have only one document to certify proof of identity.
- Furnish proof of residency. A list of acceptable documents is available online at www.dmvnow.com. Parent or legal guardians of applicants under 19 years of age may certify Virginia residency.
- Furnish proof of legal presence in the USA by using one of the acceptable documents listed on the DMV Website.
- Pass a multiple-choice sign and knowledge test. The student must answer all 10 sign questions correctly before being able to proceed to the second part of the exam. To pass the second part of the exam the student must answer at least 80% of the 25 general knowledge questions correctly (20 out of 25). Students who fail either section of the DMV knowledge test will not be eligible for re-testing for at least 15 days, and are required to re-take both tests.
- Pass the vision test. If the student needs to wear glasses or contact lenses to pass the test, his/her license will show this restriction. Virginia's vision standards are 20/40 or better vision in one or both eyes, and 100 degrees, or better, horizontal vision in one or both eyes. Individuals are restricted to driving during daylight hours if they have 20/70 or better vision in one or both eyes, and 70 degrees or better horizontal vision. If only one eye is affected, 40 degrees or better temporal and 30 degrees or better horizontal vision are required. This type of license permits driving one-half hour after sunrise to one-half hour before sunset. Students who wear bioptic telescopic lenses should contact DMV to find out about vision requirements.
- Organ donor information is collected by DMV on the learner's permit/driver's license application form. Students should be encouraged to share their donor preference with their families.

- Students with a mental or physical condition that may impair their ability to safely operate a motor vehicle, even temporarily, must provide DMV with a medical statement from a doctor. Some of these conditions include loss of consciousness, vision changes, impairment of judgment, or loss of motor function. DMV will evaluate the medical information to determine if a driver's license may be issued or restricted. Medical forms are available on DMV's Web site.
- The learner's permit will remain valid until the applicant is issued a provisional driver's license. If, however, a student has a visa, the learner's permit will expire when the student's visa expires. The learner's permit and the 180-day driver's license expiration date should be the same as the visa expiration date. If you are issuing a 180-day license to a student with a visa, the expiration must align with the visa expiration date or the learner's permit expiration date. If there is no expiration date on the visa, the learner's permit and the driver license will be valid for one year.
- The cost is \$3 for the learner's permit and \$4 for each additional year for the driver's license until the applicant reaches an age divisible by five.

NOTE:

Falsifying information on a driver's license, a learner's permit or a photo identification card application is a criminal offense. In addition, DMV will not issue, for a period of one year, a driver's license or learner's permit when their records clearly show that the person has made a willful material false statement on any application for a driver's license.

A learner's permit allows the student to operate a motor vehicle when accompanied by a driver 21 years of age or older who is lawfully permitted to operate a motor vehicle, or by a parent, legal guardian, brother, sister, half-brother, half-sister, step-brother, or step-sister 18 years of age or older who is lawfully permitted to operate a motor vehicle. The accompanying person shall be alert, able to assist the driver and occupying the seat next to the driver.

- Learner's permit holders may not operate a motor vehicle between midnight and four a.m. or with more than one passenger who is less than eighteen years old, except when participating in a driver education program approved by the Department of Education or the Department of Motor Vehicles. This passenger limitation, however, shall not apply to the driver's family or household as defined in subsection B of § 46.2-334.01.
- Virginia law prohibits drivers under age 18 from **using cell phones or wireless communication devices while driving**, regardless of hand-held or hands-free, except in a driver emergency and the vehicle is lawfully parked or stopped.
- If any learner's permit or driver's license issued to any person less than twenty years old shows that he has been convicted of (i) an offense for which demerit points have been assessed or are assessable under Article 19 (§ 46.2-489 et seq.) of this chapter or (ii) a safety belt or child restraint violation, the DMV Commissioner shall direct such person to attend a driver improvement clinic. A computer-based driver improvement course will not satisfy this requirement. No safe driving points will be awarded for attending the clinic. Such person's parent, guardian, legal custodian, or other person standing in loco parentis may attend such clinic and receive a reduction in demerit points and/or an award of safe driving points pursuant to § 46.2-498.

OBTAINING A VIRGINIA DRIVER'S LICENSE AS OF JULY 1, 2007

Students must be at least sixteen years and three months old to apply for a provisional driver's license.

Applicants under the age of 18 must:

- Hold a valid learner's permit (from Virginia, another state, U.S. Territory, or Canadian province) for a period of at least nine months and successfully complete a state-approved classroom and behind-the-wheel driver education program. U.S. Territories that have been granted a test waiver include: American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands.
- Successfully complete a state-approved driver education program. Classroom completion certificates (DEC-1) must be issued to students who successfully complete the classroom phase at one school and enroll in the in-car phase at a different school. To prevent forgeries, the DEC-1 is the only acceptable classroom completion document. Please make provisions for your students to receive their DEC-1 cards in a timely fashion when you are out of the office for several days. Please also leave an adequate supply of DEC-1s for the summer school guidance and administrative staff.
- Students who transfer to Virginia from another state or U.S. Territory must have documentation of at least 30 hours of classroom instruction from a state-approved program to be eligible for in-car instruction. Mail this documentation with the DMV copy of the student's 180-day license.
- No driver's license shall be issued to a student who is less than eighteen years old unless, while holding a learner's permit, the student has driven a motor vehicle for at least forty hours, at least ten of which were after sunset, as certified by his parent or legal guardian unless the person is married or otherwise emancipated.
- The parent, guardian, legal custodian, or other person standing in loco parentis must provide written authorization for a minor less than eighteen years old to receive a 180-day provisional license on the school parent permission form. The PPF-03 also documents the required parental certification of understanding the commonwealth's interest in good academic standing and regular school attendance, and that the minor is mentally, physically and otherwise able to operate a motor vehicle. The parents also certify that their child has driven a motor vehicle for 40 hours, at least 10 of which were after sunset on the PPF-07. Do not mail the parent permission form to DMV. Keep the PPF-07 with the student's other school licensing forms.
- After receipt of the PPF-07, the public or private school providing the behind-the-wheel instruction can issue a 180-day provisional license (PDL-180). One hundred and eighty-day provisional licenses with post-dated validation dates may be given to the parent/guardian, but should never be given to a minor. Parents should make sure their insurance company is aware of the new licensed driver in the family.
- Schools should mail DMV's copy of the 180-day provisional license (PDL-180) to the Image Retrieval Center in Richmond using a DMV postage-paid label. Students and parents should make sure all information on the PDL-180 is accurate before signing it. If the 180-day provisional license is missing any information or signatures, if the student is not 16 years and three months old, or if the student has not held a learner's permit for nine months, the 180-day provisional license is NOT VALID and the student CANNOT drive until the problem is remedied. Please note, if stopped, this student will be cited for driving without a license. When the mistake is discovered,

DMV will send an advisory letter to the student/parent and DOE explaining why the student is not properly licensed.

- DMV will send the student's permanent license to the Juvenile and Domestic Relations Court that serves the student's zip code. It is very important that DMV has the student's correct home address. Address changes can be done on-line, by visiting any DMV branch, by fax (804) 367-6379, or by calling (804) 367-0538. Change of address for a driver's license and registration cards are free. A new driver's license showing the change costs \$10.
- If during the 180-day period the student does not receive notification from the court to attend a licensing ceremony, or if the student loses or damages the 180-day provisional license, the school has the option of sending the student to any DMV Customer Service Center to receive another 180-day provisional driver's license or completing another PDL-180. DMV will charge \$10 for the laminated version of the 180-day provisional license.

Parents of students who have successfully passed the school's road-skills examination have the option of requesting a second opinion from a DMV examiner. DMV will re-test their child free of charge.

A minor's initial driver's license will be valid for three to seven years, depending on his/her age when the license is issued. Thereafter, it will be valid for five years. The student can, however, renew his/her driver's license two years prior to the license expiration date. The license expires on the driver's birthday.

The 180-day provisional license (PDL-180) is valid when accompanied by a valid Virginia learner's permit. All restrictions, (i.e., vision, hand controls) will appear on the learner's permit and permanent license. They will NOT be noted on the 180-day provisional license.

Provisional restrictions for young drivers:

A provisional driver's license shall not authorize its holder to operate a motor vehicle with more than one non-family passenger less than 18 years old until the holder has held a provisional license for one year, and no more than three non-family passengers less than 18 years old until the licensee turns 18. Drivers younger than 18 shall not operate a vehicle on the highways of the Commonwealth between the hours of midnight and 4 a.m. except when driving (i) to or from work; (ii) to or from a school-sponsored activity; (iii) when accompanied by a parent or person in loco parentis, or by a spouse who is 18 years old or older; or (iv) in cases of emergency.

Except in a driver emergency or when the vehicle is lawfully parked or stopped, the holder of a provisional driver's license less than 18 years old, shall not operate a motor vehicle on the highways of the Commonwealth while using any cellular telephone or any other wireless telecommunications device, regardless of whether such device is or is not hand-held.

Any learner's permit or driver's license issued to anyone who is not 20 years of age and is convicted of an offense for which demerit points are assessed, or for violating the safety seat requirement for children under the age of six, or the primary safety belt mandate for front- or back-seat passengers younger than 16 years of age, shall be directed by the DMV Commissioner to attend a driver improvement clinic.

If a person who is younger than 18 years of age is convicted a second time for an offense for which demerit points are assessed, or for violating the child-restraint legislation, the DMV Commissioner shall suspend the young driver's license for 90 days.

If any such person is convicted a third time for an offense for which demerit points have been assessed, or for violating the child-safety restraint legislation, the Commissioner shall revoke the driver's privilege to operate a motor vehicle for one year—or until the student reaches the age of 18—whichever is longer. These suspensions shall be consecutive to, and not concurrent with, any other period of license suspension, revocation, or denial.

Individuals under age 18 may receive safe driving points for attending driver improvement clinics (if they have not been directed to attend by the DMV Commissioner or required to attend by a court).

DMV can deny or suspend driving privileges for persons under age 18 if a court finds that the juvenile is delinquent, in need of supervision, involved in an alcohol or drug-related offense, or needs court-assigned services or programs such as counseling.

Driving without a license is a class 2 misdemeanor.

EIGHTEEN TO 26 YEAR OLD STUDENTS

- Eighteen-year-old students must successfully complete both the classroom and in-car phases of the driver education program and hold a learner's permit for a minimum of 9 months to be eligible for a driver's license.
- Eighteen-year-olds successfully completing both phases of the driver education program should take both the student and DMV copies of the 180-day provisional license to a DMV branch office. DMV will issue the 18-year-old applicant a permanent license at the branch office. Eighteen-year-olds are NOT required to attend a juvenile licensing ceremony.
- Nineteen-year and older students who have not previously held driver's licenses must show they have passed a state-approved driver education program or have held a learner's permit for at least 30 days before being eligible to take a DMV-administered road skills test. The provisions of this section shall only apply to persons who are at least 19 years old and who either (i) have never held a driver's license issued by Virginia or any other state or territory of the United States or foreign country with which DMV has established reciprocal driver's licensing privileges or (ii) have never been licensed or held the license endorsement or classification required to operate the type of vehicle which they now propose to operate. An adult applicant may not take the DMV-administered road skills test more than three times in any three-month period.
- License renewal applicants less than twenty-one years old convicted of one or more moving violations must retake the DMV-administered knowledge test.
- Every male under the age of 26 who applies for or renews a learner's permit, driver's license, commercial driver's license or photo identification card must certify that he is registered with the Military Selective Service. DMV will share this information with the Selective Service. For males under age 18, the Selective Service will register them with Selective Service when they turn age 18. This law applies to U.S. citizens and immigrants.

TRANSFER STUDENTS

- Knowledge testing is not required for the holder of a valid out-of-state learner's permit. These students simply "exchange" a valid out-of-state permit for a Virginia learner's permit at any DMV branch office.
- Students who transfer to Virginia from another state or U.S. territory must have documentation of at least 30 hours of classroom instruction from a state-approved program to be eligible for in-car instruction. If a transfer student successfully completes a state-approved classroom and in-car driver education program from another state, the student must present the certificate of completion, specifying the number of instructional hours, directly to the DMV customer service representative. Out-of-state students must have at least 30 hours of classroom and six hours of in-car instruction.
- Students holding a current out-of-state license, who are less than 19 years of age and do not have proof that they completed a driver education course will be issued a six-month temporary license. This six-month temporary licensing period provides them time to obtain documentation of course completion, or to complete a Virginia driver education course.
- If the student holds a valid driver's license issued by a U.S. state, territory, jurisdiction, Canadian province, or Germany, it must be surrendered when the student applies for a Virginia driver's license. The student may not be required to take the two-part knowledge exam or the road skills test, but will be required to pass a vision screening. Remind the student to photocopy the out-of-state driver's license for future insurance or licensing needs. Provided the expiration date is within six months, out-of-state license holders may be issued a Virginia driver's license without having to take the knowledge or skills test even if their license has expired. This policy is consistent with the six-month driver's license renewal grace period granted to Virginia license holders. However, this does not apply to holders of commercial driver's licenses. They are required to have a valid CDL license to qualify for test waiver.
- If the student's license has been suspended or revoked by another state, a Virginia license may not be issued until the student's driving record in that state is cleared, or until the student has served five years of the suspension or revocation, whichever occurs first.
- The holder of a valid driver's license from another state qualifies for a temporary license under Subdivision 3 of § 46.2-334, and will not be subject to the nine-month learner's permit holding period.

FOREIGN EXCHANGE AND BOARDING SCHOOL STUDENTS

- In many countries driver education costs students thousands of dollars, and foreign exchange students often want to receive this instruction while attending school in Virginia. Successful completion of a driver education program does not mean that these foreign exchange students can drive with a Virginia driver's license in their country of origin! The licensing age, motor vehicle laws, and the country's testing requirements are usually very different. In many cases however, successful completion of a Virginia driver education program does satisfy some of their educational requirements.
- If you have foreign exchange or boarding school students who are returning home, and have not met the nine-month holding period or have not received

notification from the Juvenile and Domestic Relations Court you have the following options:

- Include a letter to the DMV Image Retrieval Center with the student's 90-day temporary explaining the student's situation, and request that the student be scheduled for an earlier licensing ceremony;
- Ask the parent/legal guardian to submit a written explanation about the student's situation to the Juvenile and Domestic Relations Court and request that the Judge waive attendance at the juvenile licensing ceremony;
- Provide a detailed course description of the driver education program on school letterhead for the student to use to document course content and hours of instruction.

CHILDREN OF ACTIVE-DUTY MEMBERS OF THE ARMED FORCES

If a student is a dependent child of an active-duty member of the Armed Forces stationed in Virginia, and is 16 years and three months or older, he/she may drive with a valid driver's license issued by his/her home state or country. Vehicles registered in the parents or student's name may be driven with valid out-of-state license plates. The family may register the vehicle in Virginia without obtaining a Virginia driver's license.

NON-RESIDENTS

Non-residents temporarily living in Virginia may drive with their home state driver's license and license plates for no more than six months. This does not apply to commercial vehicle drivers. Individuals who are temporarily working in Virginia, but reside in another state, do not need to register their vehicle in Virginia if their home state has a reciprocity agreement with Virginia.

HEARING IMPAIRED STUDENTS

If a student is hearing impaired, arrangements can be made for an interpreter to assist during the transaction. The Department of the Deaf and Hard of Hearing (DDHH) provides interpreters, and DMV incurs all costs associated with the use of an interpreter. Either the customer or a DMV employee can contact the DDHH to set up an appointment for the interpreter to meet with the customer at DMV. The phone number at DDHH is (804) 225-2570.

Special license plates and photo IDs for the hearing impaired are available from any DMV office. Drivers who are hearing impaired may request a "hearing impaired" indicator is placed on their drivers' license. The plates and photo IDs help law enforcement officers recognize drivers who are hearing impaired.

COURT SANCTION

The juvenile and domestic relations court is required to order the denial of driving privileges for at least 30 days to any child at least 13 years of age upon finding that the student has failed to comply with certain school attendance or parent-school conference meeting requirements. The measure provides for restricted licenses to be issued upon demonstration of hardship.

DRIVING OUT OF STATE

Young drivers holding valid Virginia driver's licenses must check to make sure they can legally operate a vehicle in another state. In some states, the age requirement is different.

MOTORCYCLE PERMITS

Virginia began offering a motorcycle learner's permit on January 1, 1999. This learner's permit allows the student to operate a motorcycle:

- one-half hour after sunrise to one-half hour before sunset; and
- under the immediate supervision of a person licensed to operate a motorcycle who is 21 years of age or older, or by his/her parent or legal guardian, or by a brother, half-brother, half-sister, stepbrother, or stepsister 18 years of age or older.

Motorcycle learner permit holders may not:

- operate on limited access highways; and
- carry a passenger.

When the motorcycle learner's permit expires, a licensee who has submitted an application, paid the application fee, and successfully completed the examinations, may be issued another twelve-month motorcycle learner's permit. The Department of Motor Vehicles will deposit three dollars of each motorcycle registration and all motorcycle driver's license endorsement fees into the Motorcycle Rider Safety Training Program Fund.

MOTORCYCLE LICENSE

Students with a valid Virginia driver's license may add a Class M endorsement to operate a motorcycle. To add the Class M endorsement, the student must pass the motorcycle knowledge and skills tests, plus a vision exam. The motorcycle endorsement costs \$2 per year, and is valid for the same period as his/her driver's license.

Instead of a Class M endorsement, students may obtain a driver's license that allows them to operate only a motorcycle. To obtain this driver's license they must provide proof of completion of an approved driver education course, pass the motorcycle knowledge and skills test, and a vision exam. The motorcycle-only driver's license costs \$3.40 per year and is valid for 5 years.

LICENSING FEES

Driver's license	\$4 per year
Motorcycle Class M	\$2 per year
Learner's permit	\$3 plus \$4 per year
Duplicate license	\$10
Re-testing fee	\$2 (if re-taken within 15 days)
(For example, a five-year driver's license will cost \$20.)	

A copy of an individual's driver or vehicle record is available on-line, at a DMV branch office, or by writing to DMV. The charge for the record is \$8. If the record needs to be certified, an additional \$5 fee is required. A 5-year history of the driving record is sent to an insurance company; a 7-year history is sent for employment purposes; and, if a reason is not specified, DMV will provide an 11-year driving history.

Individuals can report hazardous or impaired drivers to DMV. In accordance with Code section § 46.2-322 and DMV's Medical Review Policy, DMV requires that persons who are reporting impaired drivers

- provide their name, address, and telephone number, so that a DMV representative may follow up if additional information is needed; and
- send a detailed written description of the hazardous or impaired driving to DMV Medical Review Services, Post Office Box 27412, Richmond, Virginia 23269-0001, or fax it to (804) 367-1604.

Additional licensing and traffic safety information is available at www.dmvnow.com.

JUVENILE LICENSING CEREMONY

Juvenile and Domestic Relations Court Judges rarely have an opportunity to interact with teenagers in a positive setting. Usually, a teenager is before the judge because he or she is accused of violating the law. The Juvenile Driver Licensing Ceremony required by Code of Virginia § 46.2-336 gives judges an opportunity to have a positive interaction with teenage drivers. While it is incumbent upon the judge during the ceremony to impress upon teenagers and their parents the responsibility that comes with a license to drive; this can be done in a manner that is serious, yet recognizes the excitement of this important milestone in our culture.

The majority of courts average 100 or fewer people attending each licensing ceremony. The ceremonies are held as frequently as once a week to as infrequently as once every two months, depending on the needs of the locality. The majority of ceremonies are held in the courtroom. Half of the ceremonies take less than 30 minutes; the other half, 30 minutes to an hour.

Most judges find that the ceremony is most effective when it is conducted in the courtroom. The courtroom lends a note of seriousness to the ceremony and signals to the teen and the parent that this is, in fact, an official, serious court proceeding. Coming to the courtroom also allows teens to see where they will be if they commit a traffic violation. Teens interviewed indicated that the courtroom setting sent them the message that the event was not something to be taken lightly.

Due to heavy court dockets, parent schedules, and school schedules, there is no time of day that is convenient and agreeable to all parties involved in the ceremonies. Some ceremonies are conducted in the morning, others are held after school, and some are held in the evenings.

Judges who conduct their ceremonies in a courtroom wear robes. Most of those who use other locations wear robes as well. Generally, teens and their parents are required to dress in a manner that is appropriate to appearing in court. Observations of ceremonies across the commonwealth indicate that attire varies from ceremony to ceremony. Some judges have deputies tell people to leave if they are inappropriately dressed. Some judges, however, do not enforce the dress code indicated in the notice sent to the students prior to the ceremony.

Most judges require the attendees to follow the normal rules of their courtroom, such as not allowing chewing gum. Insistence on appropriate attire and decorum adds to the seriousness of the responsibility the teen is being given.

